

**To:** Tyner, Lee[tyner.lee@epa.gov]  
**Cc:** Sisk, Richard[Sisk.Richard@epa.gov]  
**From:** Hammitt, Jennifer  
**Sent:** Wed 8/26/2015 1:48:52 PM  
**Subject:** RE: U.S. Department of Justice  
Gold King Mine Incident

**Attorney Client/Ex. 5**

# Attorney Client/Ex. 5

Jennifer Hammitt

Attorney-Advisor, Information Law Practice Group

Office of General Counsel, General Law Office

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW, MC-2377A

Washington, DC 20460

(202) 564-5097

**From:** Tyner, Lee **On Behalf Of** EOC OGC  
**Sent:** Wednesday, August 26, 2015 9:45 AM  
**To:** Hammitt, Jennifer  
**Subject:** Fw: U.S. Department of Justice  
Colorado Gold King Mine Incident

**Attorney Client/Ex. 5**

Jennifer --- should this be you? Lee

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**From:** Boynton, Lisa  
**Sent:** Wednesday, August 26, 2015 9:40 AM  
**To:** Tyner, Lee; EOC OGC  
**Subject:** Fw: U.S. Department of Justice  
Colorado Gold King Mine Incident

**Attorney Client/Ex. 5**

Do you know who this should be?

**Lisa Boynton**  
US EPA  
1200 Pennsylvania Avenue  
Washington, DC 20460  
(202) 564-2487

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**From:** Faulkner, Mike  
**Sent:** Tuesday, August 25, 2015 9:34 PM  
**To:** [MaloneMA@state.gov](mailto:MaloneMA@state.gov); Clark, Mark; [RathodRR@state.gov](mailto:RathodRR@state.gov); [Ryan Sloan@ios.doi.gov](mailto:Ryan_Sloan@ios.doi.gov); [alan.remick@nnsa.doe.gov](mailto:alan.remick@nnsa.doe.gov); Kennedy, Andrew A LCDR; Boynton, Lisa; [brett.armstrong@gsa.gov](mailto:brett.armstrong@gsa.gov); [burbyjw@state.gov](mailto:burbyjw@state.gov); Harvey, Darryl J MSTC; [david\\_behler@ios.doi.gov](mailto:david_behler@ios.doi.gov); [debbie.payton@noaa.gov](mailto:debbie.payton@noaa.gov); [ed.levine@NOAA.gov](mailto:ed.levine@NOAA.gov); [francis.peduzzi@nrc.gov](mailto:francis.peduzzi@nrc.gov); [gregg.baumann@navy.mil](mailto:gregg.baumann@navy.mil); HQS-DG-1st-NRCINFO; Weaver, James (USCG); [john.hess@dot.gov](mailto:john.hess@dot.gov); Juskie, John; [john.tarpley@noaa.gov](mailto:john.tarpley@noaa.gov); [john.vandenberghe@nrc.gov](mailto:john.vandenberghe@nrc.gov); Loring, Joseph B CAPT; [jsh2@cdc.gov](mailto:jsh2@cdc.gov); [justin.smith@usdoj.gov](mailto:justin.smith@usdoj.gov); [kadam@fs.fed.us](mailto:kadam@fs.fed.us); [karen.waldvogel@dm.usda.gov](mailto:karen.waldvogel@dm.usda.gov); [karen.zhang@dm.usda.gov](mailto:karen.zhang@dm.usda.gov); [kemp.skudin@navy.mil](mailto:kemp.skudin@navy.mil); [laurie.dubriel@usdoj.gov](mailto:laurie.dubriel@usdoj.gov); [lisa.kaplowitz@hhs.gov](mailto:lisa.kaplowitz@hhs.gov); [lori.thomas@hq.doe.gov](mailto:lori.thomas@hq.doe.gov); [matthews.denise@dol.gov](mailto:matthews.denise@dol.gov); [michael.tuttle@gsa.gov](mailto:michael.tuttle@gsa.gov); Maghini, Monica K CIV; [peter.frost@usdoj.gov](mailto:peter.frost@usdoj.gov); [petitti.christine@dol.gov](mailto:petitti.christine@dol.gov); [robb.hyde@navy.mil](mailto:robb.hyde@navy.mil); [robert.carter@gsa.gov](mailto:robert.carter@gsa.gov); [robert.lewis@nrc.gov](mailto:robert.lewis@nrc.gov); [sed2@cdc.gov](mailto:sed2@cdc.gov); [steve.lehmann@noaa.gov](mailto:steve.lehmann@noaa.gov); Breslin, Thomas; Tulis, Dana; [wheeler.young@dol.gov](mailto:wheeler.young@dol.gov); [willie\\_taylor@ios.doi.gov](mailto:willie_taylor@ios.doi.gov)  
**Cc:** Lee, Eugene; Woodyard, Josh; Schlieger, Brian  
**Subject:** U.S. Department of Justice Attorney Client/Ex. 5  
Colorado Gold King Mine Incident

Good evening

# Attorney Client/Ex. 5

# Attorney Client/Ex. 5

Thanks,

DOJ CCs:

Attorney Client/Ex. 5

Mike Faulkner

National Response Team

Environmental Protection Agency

202-564-1978

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**From:** Faulkner, Mike

**Sent:** Saturday, August 22, 2015 2:47 PM

**To:** [MaloneMA@state.gov](mailto:MaloneMA@state.gov); Clark, Mark; [RathodRR@state.gov](mailto:RathodRR@state.gov); [Ryan Sloan@ios.doi.gov](mailto:Ryan_Sloan@ios.doi.gov); [alan.remick@nnsa.doe.gov](mailto:alan.remick@nnsa.doe.gov); Kennedy, Andrew A LCDR; Boynton, Lisa; [brett.armstrong@gsa.gov](mailto:brett.armstrong@gsa.gov); [burbyjw@state.gov](mailto:burbyjw@state.gov); Harvey, Darryl J MSTC; [david\\_behler@ios.doi.gov](mailto:david_behler@ios.doi.gov); [debbie.payton@noaa.gov](mailto:debbie.payton@noaa.gov); [ed.levine@NOAA.gov](mailto:ed.levine@NOAA.gov); [francis.peduzzi@nrc.gov](mailto:francis.peduzzi@nrc.gov); [gregg.baumann@navy.mil](mailto:gregg.baumann@navy.mil); HQS-DG-Ist-NRCINFO; Weaver, James (USCG); [john.hess@dot.gov](mailto:john.hess@dot.gov); Juskie, John; [john.tarpley@noaa.gov](mailto:john.tarpley@noaa.gov); [john.vandenberghe@nrc.gov](mailto:john.vandenberghe@nrc.gov); Loring, Joseph B CAPT; [jsh2@cdc.gov](mailto:jsh2@cdc.gov); [justin.smith@usdoj.gov](mailto:justin.smith@usdoj.gov); [kadam@fs.fed.us](mailto:kadam@fs.fed.us); [karen.waldvogel@dm.usda.gov](mailto:karen.waldvogel@dm.usda.gov); [karen.zhang@dm.usda.gov](mailto:karen.zhang@dm.usda.gov); [kemp.skudin@navy.mil](mailto:kemp.skudin@navy.mil); [laurie.dubriel@usdoj.gov](mailto:laurie.dubriel@usdoj.gov); [lisa.kaplowitz@hhs.gov](mailto:lisa.kaplowitz@hhs.gov); [lori.thomas@hq.doe.gov](mailto:lori.thomas@hq.doe.gov); [matthews.denise@dol.gov](mailto:matthews.denise@dol.gov); [michael.tuttle@gsa.gov](mailto:michael.tuttle@gsa.gov); Maghini, Monica K CIV; [peter.frost@usdoj.gov](mailto:peter.frost@usdoj.gov); [petitti.christine@dol.gov](mailto:petitti.christine@dol.gov); [robb.hyde@navy.mil](mailto:robb.hyde@navy.mil); [robert.carter@gsa.gov](mailto:robert.carter@gsa.gov); [robert.lewis@nrc.gov](mailto:robert.lewis@nrc.gov); [sed2@cdc.gov](mailto:sed2@cdc.gov); [steve.lehmann@noaa.gov](mailto:steve.lehmann@noaa.gov); Breslin, Thomas; Tulis, Dana; [wheeler.young@dol.gov](mailto:wheeler.young@dol.gov); [willie\\_taylor@ios.doi.gov](mailto:willie_taylor@ios.doi.gov)

**Subject:** Gold King Mine Release - Update

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## **EPA EOC Spot Report Update #15: Regions 6, 8, and 9 Gold King Mine Release into Animas River; San Juan County, CO**

### **US Environmental Protection Agency**

**Report as of 12:30 EDT on 08/22/2015**

#### **Overview:**

On 8/5, a large release of mine wastewater into Cement Creek occurred while an EPA site assessment team was conducting site investigation activities. Cement Creek leads to the Animas River and the San Juan River. Initial estimates indicated that the release was approximately one million gallons that was held behind unconsolidated debris near an abandoned mine portal. The estimate has since been revised to 3 million gallons. There were several workers at the site at the time of the breach and all were unharmed. The release's path flowed through three of EPA's regions: Region 8—Colorado, Utah and the Southern Ute Tribe; Region 6—New Mexico; and, Region 9—Arizona and Navajo Nation.

Public Information/Community Outreach: A public-facing website has been set up for the response: <http://www2.epa.gov/goldkingmine>. EPA is reviewing sampling data and developing public messaging to include the development of a wider message that river conditions are returning to normal.

Social Media Sites being maintained by the UC JIC through local and state resources are: Blog – [goldkingminerelease.blogspot.com](http://goldkingminerelease.blogspot.com); FB – [facebook.com/goldkingminerelease](https://facebook.com/goldkingminerelease); Twitter - @GKMRelease, @SilvertonCO1, @VisitSilverton; and, YouTube Channel – Gold King Mine Release.

#### **State, Local and other Federal Agency Actions:**

The Unified EPA Area Command includes EPA, State of Colorado Office of Emergency Management (OEM), the Southern Ute Indian Tribe (SUIT), and La Plata County. US Bureau of Reclamation (USBOR) is conducting road stabilization in and around the mine site.

EPA Region 8 is coordinating with the Agency for Toxic Substances and Disease Registry (ATSDR) in response to public health concerns associated with the mine waste plume. The U.S. Geological Survey (USGS) measured increased river flows and provisionally calculated flow volume of approximately 3 million gallons discharged from the Gold King Mine.

## **EPA Actions:**

### **Response Organization**

EPA is integrated in the **Unified EPA Area Command (UEAC) in Durango, CO** and in three **Incident Command Posts (ICPs) in Durango, CO and Farmington, NM**. The Farmington, NM ICP is composed of two branches: one in Farmington and another in Lake Powell at the Arizona/Utah Border. Operations at the Lake Powell ICP are completed and personnel began demobilizing on 8/20. Unified EPA Area Command in Durango includes representatives from EPA Regions 8, 6 and 9. The Region 10 REOC activated on 8/14 to support the Gold King Mine Release as well as the ongoing R9 Typhoon responses. The Headquarters Emergency Operations Center (HQ EOC) activated to Level 1 Operations on Tuesday, August 11.

### **Region 8 UICP (Durango, CO)**

Drinking Water Sampling: The City of Durango, in coordination with Colorado Department of Public Health and Environment (CDPHE) has resumed pumping water from the Animas River for their water treatment plant. Of 323 groundwater wells sampled, only twelve (12) wells exceeded Maximum Contaminant Levels (MCLs) for lead and arsenic. However, these samples were taken from the well head prior to going through the home treatment systems. Region 8 continues conducting well sampling with 41 requested wells to be sampled. A total of 53,000 gallons (1120 cases) of bottled water have been given to the public.

Surface Water & Sediment Sampling: Region 8 returned to seven (7) surface water sampling locations to gather new samples on 8/22. Region 8 continues to operate four treatment and sedimentation ponds at the mine site that are treating water by lowering acidity levels and removing dissolved metals. Treated water from the last treatment pond is discharging into Cement Creek. Water quality data is being collected at the influent and effluent of the treatment system.

Irrigation Ditch Sampling: Irrigation ditches drawing from the Animas River in Colorado are now open and available for use. Ditch and property assessments will continue with focus on whether any mitigation of private properties needs to be completed. There are currently 4 to 8 properties that are under construction that are targeted for limited sediment removal.

### **Region 6 UICP (New Mexico Command, Farmington, NM)**

Drinking Water Sampling: Ten (10) teams of EPA, NMED and EPA contractors sampled 42 private water wells on 8/20. EPA is drafting a letter to notify the private well owners about their test results from EPA's private well sampling when those results are available.

NMED and DOH are hosting free well water testing on August 24-25, 2015. EPA will have a representative present at this event. Although this event is being held in San Juan County, it was scheduled prior to the incident. The testing is available to residents of Farmington and surrounding areas that are not connected to a public water utility.

Morningstar (NM) Water Supply System has turned off the pump and is only processing water from their intake through the water treatment plant. Meanwhile, Morningstar is considering asking Farmington for permission to connect to an 8" line under the hydrant.

Surface Water & Sediment Sampling: EPA continues to collect water quality samples from nine (9) locations in the river near intakes for Aztec, Farmington, Lower Valley Water Users Association, Morningstar Water Supply System and the North Star Water User Association.

Irrigation Ditch Sampling: The irrigation ditch sampling effort has been completed.

### **Region 9 UICP (Navajo Command, Farmington, NM)**

Drinking Water Sampling: There have been no requests for well samples.

Surface Water & Sediment Sampling: On 8/20, all EPA field personnel working on the Navajo Nation, including teams sampling the San Juan River, were called back to the Farmington ICP in order to re-evaluate further response activities and to ensure secure field operations. Based on EPA surface water data collected following the 8/5 Gold King Mine release, the San Juan River quality in the Navajo Nation has returned to pre-event

conditions. This determination is based on a review of water quality data collected from 8/7-15 at EPA's sampling point near Hogback, NM. Water quality has returned to levels measured before the release entered the Navajo Nation. Water and sediments from the mine were last observed at Nenahnezad, NM (east of Hogback) on 8/8.

Agriculture/Livestock: Livestock feed is expected to be delivered to various Navajo Chapters during this operational period.

**Claims:** EPA has a claims process for compensating citizens who suffer personal injury or property damage caused by U.S. government actions. The process includes guidance on documentation that may be required to support claims for loss of employment and loss of income, among other claims. Region 8 has had inquiries about such claims from business owners in CO. A FAQ on the claims process was posted to <http://www2.epa.gov/goldkingmine> on 8/18.

See previous Gold King Mine Release Spot Reports for previous EPA Regional and HQ actions.

**Media Interest:** High

[http://www.denverpost.com/news/ci\\_28669132/colorado-utah-attorneys-general-feds-are-withholding-gold](http://www.denverpost.com/news/ci_28669132/colorado-utah-attorneys-general-feds-are-withholding-gold)

<http://www.bloombergvew.com/articles/2015-08-20/make-the-gold-king-mine-spill-a-turning-point-for-the-epa>

<http://www.thedenverchannel.com/news/local-news/interior-department-to-lead-investigation-of-gold-king-mine-waste-spill-into-animas-river>

**UNCLASSIFIED//FOR OFFICIAL USE ONLY**

Mike Faulkner

National Response Team

Environmental Protection Agency

202-564-1978

Mike Faulkner

National Response Team

Environmental Protection Agency

202-564-1978

On Aug 20, 2015, at 10:10 AM, Faulkner, Mike <[Faulkner.Mike@epa.gov](mailto:Faulkner.Mike@epa.gov)> wrote:

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Gold King Mine Release into Animas River; San Juan County, CO

US Environmental Protection Agency

Report as of 1900 EDT on 08/19/2015

Overview:

On 8/5, an EPA and Colorado State Division of Reclamation Mining and Safety team was working to investigate and address contamination at the abandoned Gold King Mine in San Juan County, CO. A large release of mine wastewater into Cement Creek occurred while an EPA site assessment team was conducting site investigation activities. Initial estimates indicated that the release was approximately one million gallons that was held behind unconsolidated debris near an abandoned mine portal. The estimate has since been revised to 3 million gallons. There were several workers at the site at the time of the breach and all were unharmed. The release's path flowed through three of EPA's regions: Region 8—Colorado, Utah and the Southern Ute Tribe; Region 6--New Mexico; and, Region 9--Navajo Nation.

The La Plata County Sheriff opened the Animas River to recreational use on 8/14 with a health advisory from Colorado Department of Public Health and the Environment (CDPHE). A Colorado State veterinarian has cleared water use for animals.

The Navajo Nation President's office held a meeting with Navajo EPA on Monday 8/17 to discuss neighboring states lifting of water advisories and reportedly evaluating a similar



action by Navajo Nation. The President decided this morning to keep river restrictions in place today. He will reconsider daily depending on data and recommendations from Navajo EPA.

The Attorney Generals of Utah and Colorado are visiting the Gold King Mine site today (8/19).

#### State, Local and other Federal Agency Actions:

The Region 8 Unified incident Command includes EPA, State of Colorado Office of Emergency Management (OEM), the Southern Ute Indian Tribe (SUIT), and La Plata County. The City of Durango, CDPHE, and the Ute Mountain Ute Tribe are Agency Representatives. The SUIT continues water delivery. As a proactive measure, the SUIT is installing reverse osmosis on tribal residential kitchen taps.

US Bureau of Reclamation (USBOR) is conducting road stabilization in and around the mine site.

EPA Region 8 is coordinating with the Agency for Toxic Substances and Disease Registry (ATSDR) in response to public health concerns associated with the mine waste plume.

The U.S. Geological Survey (USGS) measured increased river flows and provisionally calculated flow volume of approximately 3 million gallons discharged from the Gold King Mine.

#### EPA Actions:

Response Organization: EPA is integrated in Unified EPA Area Command (UEAC) in Durango, CO and in three Incident Command Posts (ICPs) in Silverton and Durango, CO and Farmington, NM. The Farmington, NM ICP is composed of two branches: one in Farmington, NM and another in Lake Powell at the Arizona and Utah Border. Unified EPA Area Command in Durango, CO includes representatives from EPA Regions 6, 8 and 9. The Region 10 REOC activated on 8/14, to support the Gold King and Typhoon responses. The Headquarters Emergency Operations Center (HQ EOC) activated to Level 1 Operations on Tuesday, August 11.

EPA continues to operate and work on optimizing four treatment and sedimentation ponds at the mine site which are treating water by lowering acidity levels and removing dissolved metals.

Public Information: A public-facing website has been set up for the response: <http://www2.epa.gov/goldkingmine>. EPA is reviewing sampling data and developing public messaging to include the development of a wider message that river conditions are returning to normal.

Comprehensive Community Outreach continues with 5 Region 9 CICs in the Farmington ICP traveling daily to various Navajo Chapter Houses for scheduled meetings with local residents.

Region 8 maintains a general incident hotline phone number for Region 8. As of 8/17, the call center has received 730 calls.

Social Media Sites being maintained by the UC JIC through local and state resources are:

Blog – [goldkingminerelease.blogspot.com](http://goldkingminerelease.blogspot.com)

FB – [facebook.com/goldkingminerelease](https://facebook.com/goldkingminerelease)

Twitter - @GKMRelease

YouTube Channel – Gold King Mine Release

The blog has received just under 500 hits in the last 48 hours.

Sampling and Data Review: On 8/17, Arizona Department of Environmental Quality (ADEQ) officials announced it had examined data provided by states upstream of Lake Powell and closer to the Gold King Mine spill. ADEQ's analysis of data released by the Utah Department of Environmental Quality of samples collected about 100 miles from Lake Powell (closest Utah sample) shows that water quality conditions in the San Juan River upstream of Lake Powell are generally consistent with pre-spill conditions. See more at: <https://ein.az.gov/emergency-information/emergency-bulletin/adeq-update-colorado-gold-king-mine-spill>

The Lake Powell Branch has been refining plans for the upcoming USGS/NPS 14-day sampling expedition beginning at the end of this week. EPA will not be integrating its sampling efforts into the USGS/NPS Mercury study, instead EPA is focusing its sampling efforts on San Juan River Gold King Mine related water and sediment quality influences on Lake Powell.

**Drinking Water Sampling:** Private well sampling is ongoing. Out of 105 groundwater wells sampled, only seven (7) wells exceeded Maximum Contaminant Levels (MCLs) for lead and arsenic. However, these samples were taken from the well head prior to going through the home treatment systems. EPA Region 8 will be conducting well water sampling as needed and calling those residents sampled to provide them analytical results. For residents that had well samples exceeding drinking water standards in the wells, those wells will be flushed and then resampled at both the tap and at the well.

**Surface Water & Sediment Sampling:** EPA continues to collect water quality samples from nine (9) locations in the river near intakes for Aztec, Farmington, Lower Valley Water Users Association, Morning Star Water Supply System and the North Star Water User Association. UEAC and HQ were sent surface water sample data from public water supply intakes for August 12 and sediment sample data from public water supply intakes for 8/10-13.

**Irrigation Ditch Sampling:** The irrigation ditch sampling effort has been completed. Sediment sample data from irrigation ditch sediment sample data from 8/13 was posted on 8/18.

**Agriculture/Livestock:** Irrigation ditches along the Animas River have returned to normal irrigation and livestock watering operations. EPA has delivered 1,068,270 gallons of water for irrigation and 36,720 gallons of water for livestock watering.

**Water Delivery and Supply:** Morningstar is operating on slow flow capacity due to the turbidity generated in the settling ponds when the water tankers first filled the ponds. As of the evening of 8/18, the ponds were clearing out, in addition, the operators are having to backwash more than normal to keep sediment out of the filters.

When the water was being pumped from Farmington to the Morningstar tank the evening of 8/18, a slip joint had to be fixed. When the line pressure reached 110 psi, there was a blow out that occurred under Wildflower Road. No one was injured, the operator crew scrambled to stop traffic, close the street, and secure the area. The morning of 8/19, the crew will

place a mega-clamp on the line and restart the pump. The hope is that the current system's infrastructure will hold so that the pressure can reach 110-140 psi in order to fill the Morningstar tank. The operators will sample and disinfect the line per their normal operating procedures for fixing line breaks.

EPA is coordinating with NMED and the water system about taking special samples or resuming their normal compliance sampling for coliforms in the distribution system to check on the quality of the treated water.

Navajo Tribal Utility Authority has identified 13 locations for EPA storage and distribution of water for agriculture and livestock use. EPA continues providing over 16,000 gallons of water per day to each of these locations. NTUA is working on putting their water distribution lines back online so that delivery of water can be discontinued.

On 8/19, EPA HQ convened a conference call on long-term watershed planning with the affected states and Indian Nations as well as EPA HQ, UEAC, and the individual EPA regions. Conversations covered current status of sampling efforts, availability of historical water quality data, and brainstorming on possible coordinated plans for long-term monitoring.

A Disaster Assistance Center (DAC) was requested by La Plata County. The request was implemented by the Colorado Department of Local Affairs (DOLA) on 8/18 and 19.

See previous reports for past EPA regional and HQ actions.

Media Interest: High

<http://www.thedenverchannel.com/news/local-news/interior-department-to-lead-investigation-of-gold-king-mine-waste-spill-into-animas-river>

<http://www.9news.com/story/news/local/2015/08/19/gold-king-mine-recovery/31967057/>

[http://www.denverpost.com/environment/ci\\_28647978/colorado-faces-230-mines-leaking-heavy-metals-into](http://www.denverpost.com/environment/ci_28647978/colorado-faces-230-mines-leaking-heavy-metals-into)

[http://www.nytimes.com/2015/08/17/us/animas-river-colorado-mine-spill-epa.html?\\_r=0](http://www.nytimes.com/2015/08/17/us/animas-river-colorado-mine-spill-epa.html?_r=0)

[http://www.denverpost.com/news/ci\\_28645132/epa-plans-water-treatment-system-gold-king-mine](http://www.denverpost.com/news/ci_28645132/epa-plans-water-treatment-system-gold-king-mine)

Michael S. Faulkner

Executive Director

National Response Team

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**From:** Faulkner, Mike

**Sent:** Monday, August 17, 2015 1:18 PM

**To:** [MaloneMA@state.gov](mailto:MaloneMA@state.gov); Clark, Mark; [RathodRR@state.gov](mailto:RathodRR@state.gov); [Ryan Sloan@ios.doi.gov](mailto:Ryan_Sloan@ios.doi.gov); [alan.remick@nnsa.doe.gov](mailto:alan.remick@nnsa.doe.gov); Kennedy, Andrew A LCDR; Boynton, Lisa; [brett.armstrong@gsa.gov](mailto:brett.armstrong@gsa.gov); [burbyjw@state.gov](mailto:burbyjw@state.gov); Harvey, Darryl J MSTC; [david\\_behler@ios.doi.gov](mailto:david_behler@ios.doi.gov); [debbie.payton@noaa.gov](mailto:debbie.payton@noaa.gov); [ed.levine@NOAA.gov](mailto:ed.levine@NOAA.gov); Faulkner, Mike; [francis.peduzzi@nrc.gov](mailto:francis.peduzzi@nrc.gov); [gregg.baumann@navy.mil](mailto:gregg.baumann@navy.mil); HQS-DG-Ist-NRCINFO; Weaver, James (USCG); [john.hess@dot.gov](mailto:john.hess@dot.gov); Juskie, John; [john.tarpley@noaa.gov](mailto:john.tarpley@noaa.gov); [john.vandenberghe@nrc.gov](mailto:john.vandenberghe@nrc.gov); Loring, Joseph B CAPT; [jsh2@cdc.gov](mailto:jsh2@cdc.gov); [justin.smith@usdoj.gov](mailto:justin.smith@usdoj.gov); [kadam@fs.fed.us](mailto:kadam@fs.fed.us); [karen.waldvogel@dm.usda.gov](mailto:karen.waldvogel@dm.usda.gov); [karen.zhang@dm.usda.gov](mailto:karen.zhang@dm.usda.gov); [kemp.skudin@navy.mil](mailto:kemp.skudin@navy.mil); [laurie.dubriel@usdoj.gov](mailto:laurie.dubriel@usdoj.gov); [lisa.kaplowitz@hhs.gov](mailto:lisa.kaplowitz@hhs.gov); [lori.thomas@hq.doe.gov](mailto:lori.thomas@hq.doe.gov); [matthews.denise@dol.gov](mailto:matthews.denise@dol.gov); [michael.tuttle@gsa.gov](mailto:michael.tuttle@gsa.gov); Maghini, Monica K CIV; HQS-DG-Ist-NRCINFO; [peter.frost@usdoj.gov](mailto:peter.frost@usdoj.gov); [petitti.christine@dol.gov](mailto:petitti.christine@dol.gov); [robb.hyde@navy.mil](mailto:robb.hyde@navy.mil); [robert.carter@gsa.gov](mailto:robert.carter@gsa.gov); [robert.lewis@nrc.gov](mailto:robert.lewis@nrc.gov); [sed2@cdc.gov](mailto:sed2@cdc.gov); [steve.lehmann@noaa.gov](mailto:steve.lehmann@noaa.gov); Breslin, Thomas; Tulis, Dana; [wheeler.young@dol.gov](mailto:wheeler.young@dol.gov); [willie\\_taylor@ios.doi.gov](mailto:willie_taylor@ios.doi.gov)

**Subject:** Gold King Mine Release - Update

Environmental Protection Agency

Emergency Operations Report

Gold King Mine Release into Animas River; San Juan County, CO

Report as of 1830 EDT on 08/16/2015

#### Overview:

On 8/5, an EPA and Colorado State Division of Reclamation Mining and Safety team was working to investigate and address contamination at the abandoned Gold King Mine in San Juan County, CO. A large release of mine wastewater into Cement Creek occurred during the investigation activities. Initial estimates indicated that the release was approximately one million gallons that was held behind unconsolidated debris near an abandoned mine portal. The estimate has since been revised to 3 million gallons. There were several workers at the site at the time of the breach and all were unharmed. The release's path flows through three of EPA's regions: Region 8—Colorado, Utah and the Southern Ute Tribe; Region 6--New Mexico; and, Region 9--Navajo Nation.

The mine water is being treated in a series of settling ponds constructed near the portal. The treatment appears to be effective. The pH of the water is being raised with the addition of lime and sodium hydroxide solution to facilitate sedimentation of the metals in the ponds and flocculant is being added to increase the amount of sedimentation.

State, Local and other Federal Agency Actions: San Juan County officials are engaged in the response activities. State officials are also on scene. Following the release, the Colorado Department of Public Health and the Environment (CDPHE) notified water users downstream so they could take appropriate steps to turn off intakes until the contaminated water passes. The U.S. Geological Survey (USGS) measured increased river flows and provisionally calculated flow volume of approximately 3 million gallons discharged from the Gold King Mine. The La Plata County Sheriff opened the Animas River to recreational use on 8/14 with a health advisory from CDPHE. A Colorado State veterinarian has cleared water use for animals.

On 8/14, NMED and the Department of Health lifted the ban on using private water wells. On 8/14, the City of Durango resumed pumping water from the Animas River for further treatment. This decision was made in conjunction with the CDPHE. The City will continue to analyze water quality samples, based on pre-established protocols. The City has also lifted the outdoor irrigation restrictions.

#### Additional Assisting Departments/Agencies:

Department of the Interior, US Coast Guard, Health and Human Services.

#### EPA Actions:

Response Organization: EPA is integrated in Unified Command in Durango, CO and in

three Incident Command Posts (ICPs) in Silverton and Durango, CO, Farmington, NM with a branch Lake Powell (at the Arizona and Utah Border). Unified EPA Area Command has stood up operations out of Durango, CO with representatives from EPA Regions 6, 8 and 9.

A public-facing website has been set up for the response:

<http://www2.epa.gov/goldkingmine>. EPA is reviewing sampling data and developing public messaging to include the development of a wider message that river conditions are returning to normal. This will include the development of Q&A sheets and fact sheets. Beginning 8/16, there will be two Public Information Officers in Silverton, CO.

A pilot test flush of the Animas Consolidate Irrigation Ditch was conducted late in the day on 8/12. The purpose of the test was to visually evaluate sediment transport conditions that would occur upon partially opening the control gate. Ferrous sediments were observed to have been deposited bank to bank in the channel as a result of the mine release. As of 8/15, all irrigation ditches in Region 8 are open and available for use.

Sampling and Data Review: The HQ Environmental Unit (EU) continues to assist with data validation. Daily residential sampling continues. Animas River sediment samples were posted to the incident website on 8/14. No results exceeded recreational screening levels. On 8/15, EPA released additional water quality data from 8/7 to 8/11 on the San Juan River between Farmington and Shiprock, NM.

Water Delivery and Supply: NMED informed EPA that the Town of Morningstar's reserve had dropped drastically and the Town only had an estimated 48 hours of available supply as of 8/14. Morningstar and Farmington are completing the connection between their water systems, current plans are to complete this task the afternoon of 8/16. Although the public water intakes have been opened it will take at least 48 hours for the system to completely come back on line. On 8/15, EPA began transporting and offloading raw water into Morningstar's pretreatment settling ponds.

Navajo Tribal Utility Authority has identified 13 locations for tankage for EPA to distribute water for agriculture and livestock use. EPA continues providing over 16,000 gallons of water per day to each of these locations.

Claims: EPA has a claims process for compensating citizens who suffer personal injury or property damage caused by U.S. government actions. The process includes guidance on documentation that may be required to support claims for loss of employment and loss of income, among other claims. Region 8 has had inquiries about such claims from business

owners in CO.

See previous reports for past EPA regional and HQ actions.

Media Interest: High

[http://www.denverpost.com/news/ci\\_28645132/epa-plans-water-treatment-system-gold-king-mine](http://www.denverpost.com/news/ci_28645132/epa-plans-water-treatment-system-gold-king-mine)

<http://dailysignal.com/2015/08/14/gold-king-mine-spill-the-epa-is-the-polluter/>

<http://www.cnn.com/2015/08/13/us/colorado-epa-animas-river-spill-owner/index.html>

<http://nmpoliticalreport.com/10024/what-reporters-on-the-ground-are-hearing-about-animas-river-spill/>

<http://www.washingtontimes.com/news/2015/aug/12/gold-king-mine-spill-democrats-green-activists-scr/>

<http://www.latimes.com/opinion/op-ed/la-oe-0813-reynolds-mining-disaster-20150813-story.html>

The HQ EOC will continue to monitor and provided updates as needed.

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